

**John S. Sutherland**  
Attorney At Law  
522 Main Street, P.O. Box 117  
Mound City, Kansas 66056  
(913) 795-2345

December 16, 1997

DOCKET FILE COPY ORIGINAL

RECEIVED  
DEC 30 1997

FCC MAIL ROOM

Mr. William Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street N.W.  
Washington, DC 20554

Dear Mr. Caton,

On behalf of the city of Pleasanton, Kansas, please find an original and four copies of a petition for Rulemaking seeking an amendment of 47 CFR 73.202(b) to allot channel 268 C3 to the city of Pleasanton, Kansas.

Should there be any questions, please contact me.

Respectfully submitted,

  
John S. Sutherland

Enclosures

No. of Copies rec'd 0 + 4  
List A B C D E MMB

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C.

In Re

Amendment of Section 73.202(b)  
of the Commission's Rules,  
Table of Allotments,  
FM Broadcast Stations  
(Pleasanton, Kansas)

MM Docket 97-  
RM-\_\_\_\_\_

To: The Chief, Mass Media Bureau

**PETITION FOR RULEMAKING**

COMES NOW the City of Pleasanton, Kansas, by and through its attorney, John S. Sutherland, pursuant to Section 1.401 of the Commission's Rules, hereby requests the Commission to institute a rulemaking proceeding looking toward an amendment of Section 73.202(b) of the Commission's Rules, the Table of FM Allotments. Specifically, petitioner seeks the allotment of Channel 268 C3 to Pleasanton, Kansas as its first local service. In support of this petition, petitioner states as follows:

1. Pleasanton is an incorporated city with a population of 1231 persons according to the 1990 Census. Population estimates as provided by the City of Pleasanton place the 1994 population at 1298 persons, an additional 5.4% growth. Pleasanton has a Mayor and City Counsel form of municipal government and provides protection to its citizens through a municipal police and fire departments. Pleasanton has a post office with its own zip code, 66075. Pleasanton has a school that serves grades K through 12 and it maintains a municipal library. Pleasanton provides water and sewer services to its citizens and further maintains a municipal park. Local economic development is promoted by the Pleasanton Chamber of Commerce.

2. As demonstrated by the attached Engineering Report, Channel 268 C3 can be allocated to Pleasanton as its first service in full compliance with the FM spacing rules with no site restriction. No other broadcast operation would be affected by this proposal. City Grade service levels that would be provided from the reference site, as well as the open area in which to locate a suitable transmitter site, are depicted in Exhibit 2 of the Engineering Report.

3. If the commission amends the FM Table of Allotments as requested herein, petitioner will promptly file an application for construction permit for Channel 268 C3 and, if granted that construction permit, will promptly construct the facilities, place them into operation, and seek a license covering the Pleasanton facility.

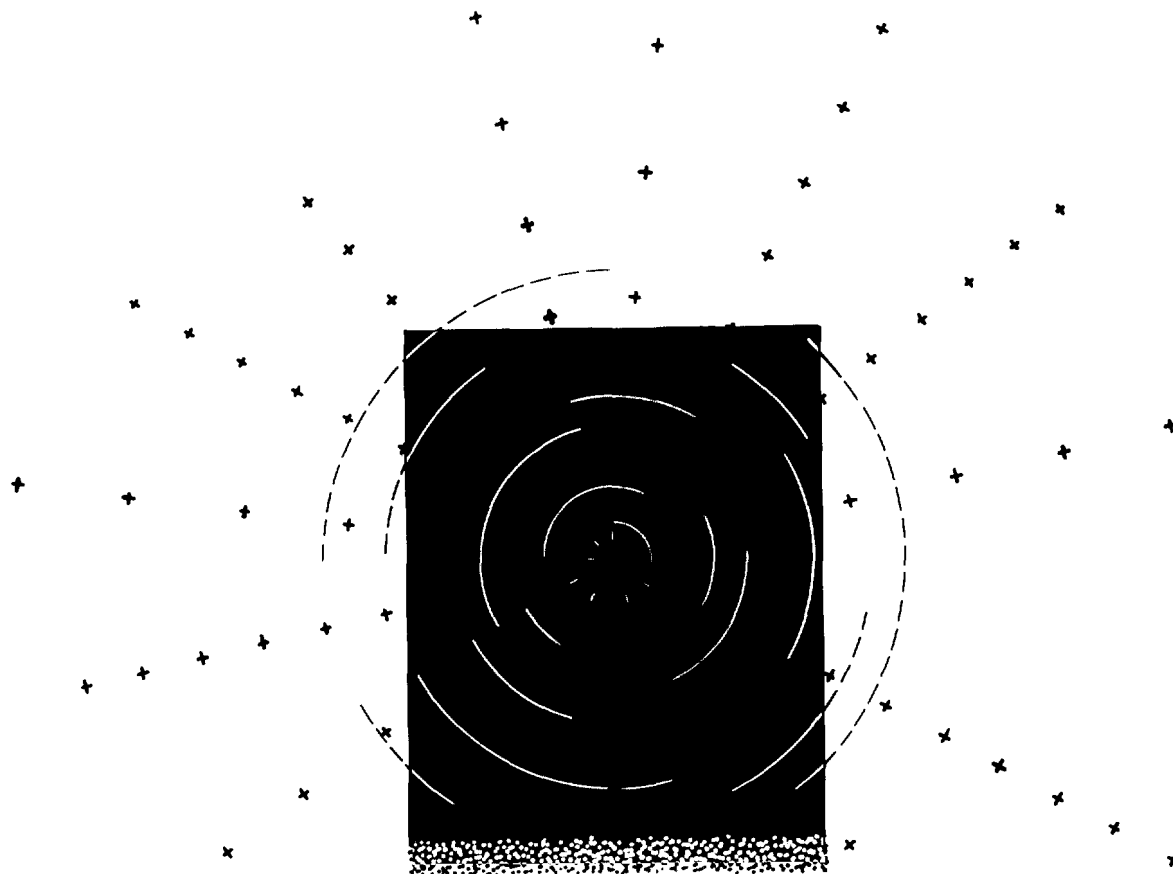
4. A need for FM service in Pleasanton exists. Allotting channel 268 C3 to Pleasanton, Kansas would permit Pleasanton to receive this service. Favorable action on petitioner's proposal would thus be in the public interest.

For the reasons stated above, the public interest will be served by the allotment of Channel 268 C3 to Pleasanton as its first local service. Accordingly, petitioner respectfully requests the Commission to initiate a rulemaking to amend the FM Table of Allotments as follows:

<u>CITY</u>	<u>Present</u> <u>Allotment</u>	<u>Proposed</u> <u>Allotment</u>
Pleasanton, Kansas	-----	268 C3

Respectfully Submitted  
City of Pleasanton, Kansas

  
\_\_\_\_\_  
John S. Sutherland #08791  
522 Main Street  
Mound City, KS 66056  
(913)795-2345



WHEELER  
**BROADCAST**  
CONSULTING

***City of Pleasanton, Kansas***

**Petition for Rulemaking**

**Petition to:**

**Amend 47 CFR 73.202(b)  
Allocate a New Commercial FM Broadcast Station  
Channel 268 C3  
Pleasanton, Kansas**

**December - 1997**



# WHEELER **BROADCAST** CONSULTING

## ***Engineering Study***

### ***Proposed Rulemaking Channel 268C3 - Pleasanton, Kansas***

This consultant has been retained by the City of Pleasanton, Kansas for the purpose of preparing an engineering statement in support of a Proposed Rulemaking to amend the FM table of allotments, 47 CFR 73.202 (b), by adding Channel 268 C3 to Pleasanton, Kansas as its first aural service.

At the request of the City of Pleasanton, this consultant performed a full commercial channel search of the Commission's November 29, 1997 FM database in order to determine the availability of a FM channel for allocation to Pleasanton. The study revealed that Channel 268 C3 can be allocated, in full compliance with the provisions of 47 CFR 73.207, to Pleasanton with no site restriction. A copy of the spacing study is included in this report as Exhibit 1.

The coordinates of Pleasanton, Kansas are listed by the United States Census Bureau as:

38° 10' 31" N. Latitude  
94° 42' 47" W. Longitude

6025 MARTWAY  
SUITE 112  
MISSION, KS 66202  
913.362.7282  
913.362.7287

The proposed Channel 268 C3 operation would meet all requirements of 47 CFR 73.207 from the Pleasanton reference coordinates and, as such, they are also suitable as allocation reference coordinates. Exhibit 2 of this report is a digitally generated map, generated from USGS and NGDC data, which indicates that the predicted 70 dbu contour from a 25 kW at 100 meter HAAT reference facility would be in full compliance with the principal community coverage requirements of 47 CFR 73.315.

### **Pleasanton, Kansas**

Pleasanton is an incorporated city located in Linn County, Kansas. The population of the city of Pleasanton is 1231 persons according to the 1990 US Census. Population estimates as provided by The City of Pleasanton place the 1994 population at 1298 persons, an additional 5.4% in growth. Pleasanton has a Mayor and City Council form of municipal government and provides protection to its citizens through a municipal police and fire departments. Pleasanton has a school that serves grades K through 12 and it maintains a municipal library. Pleasanton has a post office with its own zip code, 66075. The City of Pleasanton provides water and sewer services to its citizens and further maintains a municipal park. Local economic development is promoted by the Pleasanton Chamber of Commerce.

### **Conclusion**

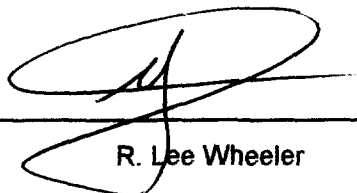
Pleasanton, Kansas is a growing city deserving of its first FM service and the proposal set forth by the City of Pleasanton will provide that service. The proposed service would not only provide the City of Pleasanton with its first local service but would provide Linn County, Kansas, a county with a population of 8,254 residents, with its first aural service. In light of the above facts, this proposal is clearly in the public interest and it is respectfully requested that 47 CFR 73.202(b) be amended as follows:

<b><u>Community</u></b>	<b><u>Present</u></b>	<b><u>Proposed</u></b>
Pleasanton, Kansas	-----	268 C3

### **Certification**

All information contained in this report is true and accurate to the best of my belief. Having had numerous matters before the Commission, my qualifications are a matter of record.

12/2/97  
Date

  
R. Lee Wheeler

WHEELER BROADCAST CONSULTING  
6025 Martway - Suite 112 - Mission KS 66202

City of Pleasanton  
Channel 268C3

REFERENCE					CLASS C3					DISPLAY DATES
38 10 31 N										DATA 11-30-97
94 42 47 W					Current rules spacings					SEARCH 12-02-97
-----					CHANNEL 268 -101.5 MHz	-----				
CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)			
-----										
ALOPEN	269A	Lamar	MO	154.9	92.05	89.0	3.05			
AL N	37 25 27	94 16 12	0.000 kW	0M	57.2	55.3				
94-151										
>Effective 7-28-95-Reserved for KHST per D94-151										
KHST.A	269A	Lamar	MO	154.9	92.05	89.0	3.05			
AP CN	37 25 27	94 16 12	3.000 kW	100M	57.2	55.3				
KHST Broadcasting Company BMLH970411KB										
>From Channel 260A per D94-151										
KYYS	271C	Kansas City	MO	5.8	100.09	96.0	4.09			
LI CN	39 04 20	94 35 45	100.000 kW	305M	62.2	59.7				
Citicasters Company BLH850712KQ										
KTXR	267C	Springfield	MO	124.3	190.96	176.0	14.96			
LI CY	37 11 40	92 56 04	100.000 kW	360M	118.7	109.4				
Stereo Broadcasting, Inc. BLH920625KB										
KMKF	268C2	Manhattan	KS	309.1	194.60	177.0	17.60			
LI CN	39 15 55	96 27 56	36.000 kW	176M	120.9	110.0				
Manhattan Broadcasting Co., I BLH901101KD										
KPLA.C	268C1	Columbia	MO	65.5	231.89	211.0	20.89			
CPMZCY	39 00 52	92 16 32	42.000 kW	324M	144.1	131.1				
Columbia FM, Inc. BMPH971015IE 990414										
>From Channel 268C2 per D89-558-Amended 970703										
KCFX	266C1	Harrisonville	MO	11.2	101.65	76.0	25.65			
LI EN	39 04 24	94 29 06	97.000 kW	303M	63.2	47.2				
KCFX-FM, Inc. BLH900917KC										
KVOEFM	269A	Emporia	KS	280.1	124.63	89.0	35.63			
LI CN	38 21 45	96 07 02	3.200 kW	91M	77.5	55.3				
Valu-Broadcasting, Inc. BMLH970324KA										
KPLA.C	268C2	Columbia	MO	71.2	221.76	177.0	44.76			
CP ZCN	38 47 28	92 17 43	20.000 kW	184M	137.8	110.0				
Columbia FM, Inc. BPH890921ID 921027										
>*To Channel 268C1 per D89-558-From Channel 269A per D86-103										

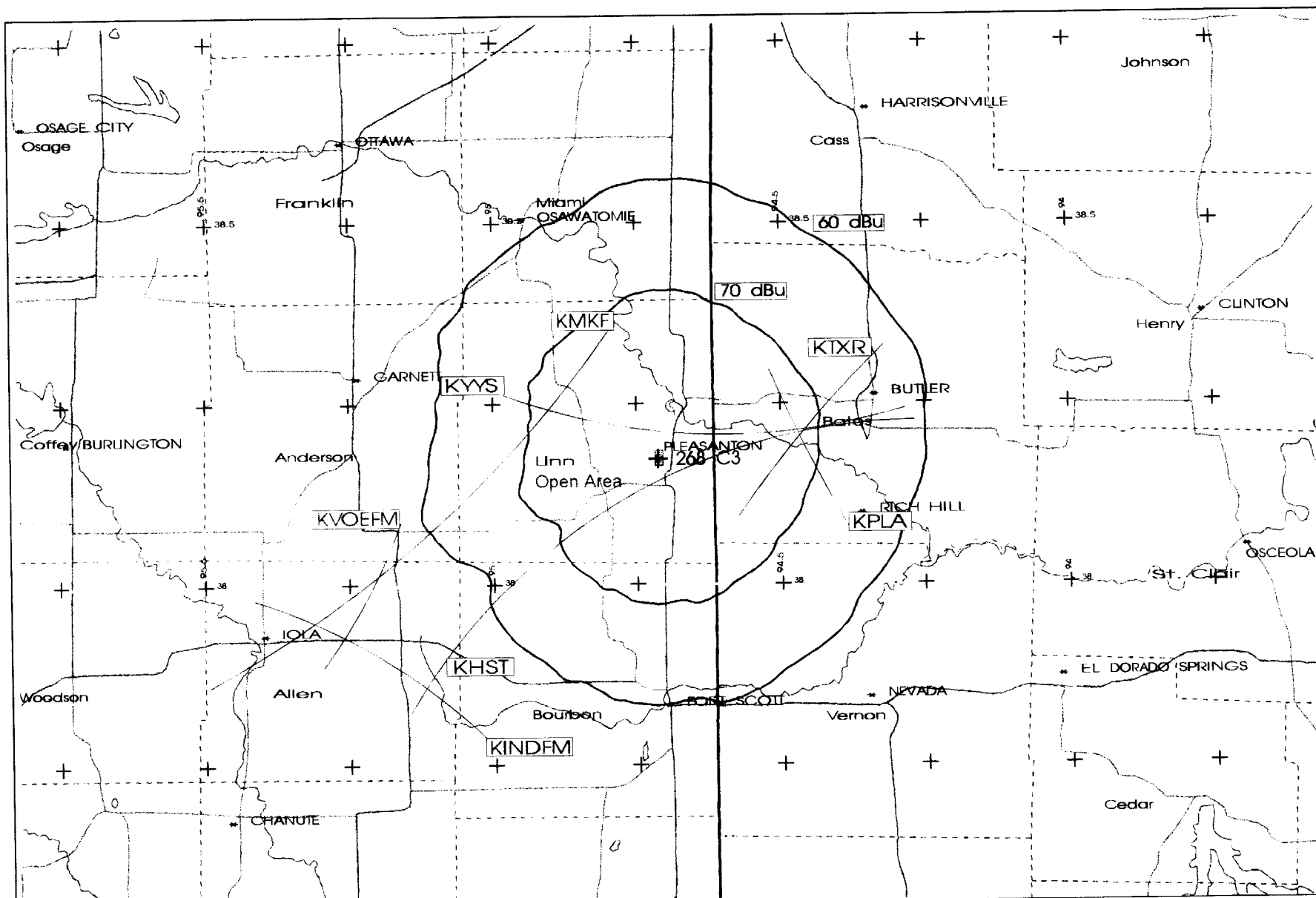
WHEELER BROADCAST CONSULTING  
6025 Martway - Suite 112 - Mission KS 66202

## CLASS C3

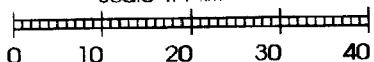
CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
KINDFM	269A	Independence	KS	220.2	138.71	89.0	49.71
LI HN	37 13 07	95 43 30	1.600 kW	47M	86.2	55.3	
Central Broadcasting, Inc.					BLH4411		
>*To Channel 275A per D90-65-To Channel 275C3 per One-Step Applicati							
>BPH-970210IE							

-----





Scale in km



Proposed Pleasanton Allocation Ch. 268 C3

N. Lat. 38 10 31 W. Lng. 94 42 47

EXHIBIT 2

L. WHEELER - 12/97